<u>REMARKS</u>

In a final Office Action dated July 12, 2006, the Examiner rejects Claims 1, 3, 9, and 11. Applicant cancels claims 1, 3, 9, and 11; adds claims 15-26; and respectfully traverses the rejections. Claims 15-26 are now pending in the application. In light of the following the amendments and following arguments, Applicant respectfully requests that this application be allowed.

Applicant has cancelled all previously pending claims. Therefore, Applicant believes that the 35 USC §112 rejections are moot. Thus, Applicant respectfully requests that the 35 USC §112 rejections be removed.

The Examiner rejects claim 1 under 35 U. S.C. §103 as being anticipated by U.S. Patent Number 5,907,678 issued to Housel, III et al. (Housel) in view US Patent Number 6,735,205 issued to Mankude et al. (Mankude). In order to maintain a rejection the Examiner has the burden of providing evidence of prima facie obviousness. See MPEP §2143. See also <u>In Re Vaeck</u>, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). In order to prove prima facie obviousness, the Examiner must provide evidence in the prior art of a motivation to combine or modify a reference, a reasonable expectation of success, and a teaching of each and every claimed element. Id. The Examiner has failed to provide a reference that teaches each and every limitation of claim 1 and has not provided a proper motivation to combine the references.

Claim 15 recites "receiving connection information for a connection from a module in a routing system; determining a connection identifier for said connection responsive to receiving said connection information; embedding said connection

identifier into said connection information; and storing said connection information with said connection identifier into a space in said memory." Housel does not teach these steps. Instead, Housel teaches storing connection information in a cache. The entire cache is then stored with a unique identifier. See Col. 15, lines 9- 55. See also 16, lines 25-39. In the present invention the entire information for a connection is not stored in memory at one time. Instead, when connection information is received from a module, the information is stored with an encoded connection identifier. This allows the individual modules to independently store connection information without having to re-copy an entire cache or data structure. Thus, Housel does not teach the limitation of new claim 15.

Furthermore, Mankude does teach this limitation. In Fact Mankude is teaching a system for forwarding packets and does not mention, in the entirety of the reference, a method for storing connection information for connections between routing systems. Thus, Mankude does not teach the storing of relevant data in response to a change of state as recited in claim 15.

Since neither Housel nor Mankude teaches this limitation, the combination of the references does not teach the limitations. Applicant respectfully requests that the rejection of claim 15 be removed and claim 15 be allowed.

Furthermore, the Examiner has not provided a proper motivation to combine the references. The Examiner has provided no motivation to do so as required by case law and the MPEP. See MPEP §2143. The Examiner is reminded that for a combination to be proper the proposed modification or combination cannot change the principle mode of operation of reference. See MPEP §2143.01. See also In re Ratti, 270 F2d. 810 (CCPA

1959). In the present invention, Housel provides a system for synchronizing checkpointing information between two systems. There is no need to provide a checkpoint server in Housel as that is not the problem being solved by Housel. In fact, Housel is directed at how to speed up communications between systems that may have a slow or low bandwidth connection. Thus, the combination changes the principle of operation of Housel by actually creating more traffic over a network by transmitting an entire cache of connection information to a checkpoint server. Furthermore, the use of the checkpoint server becomes redundant and fundamentally changes how the system in Housel operates. Therefore, the combination of the references is not permissible. Therefore, Applicant respectfully requests that the rejection of claim 15 be removed and claim 15 be allowed.

Claims 16-18 are dependent from claim 15 and allowable for at least the same reasons as claim 15. Thus, Applicant respectfully requests claims 16-18 be allowed.

Claim 19 recites a server that performs the method recited in claim 15. Therefore, claim 19 is allowable for at least the same reasons as claim 15. Thus, Applicant respectfully requests claim 19 be allowed.

Claims 20-22 are dependent from claim 19. Thus, claims 20-22 are allowable for at least the same reasons as claim 19. Thus, Applicants respectfully request that claims 20-22 be allowed.

Claim 23 recites an apparatus that performs the method recited in claim 15. Therefore, claim 23 is allowable for at least the same reasons as claim 15. Thus, Applicant respectfully requests claim 23 be allowed.

Claims 24-26 are dependent from claim 23. Thus, claims 24-26 are allowable for at least the same reasons as claim 23. Thus, Applicants respectfully request that claims 24-26 be allowed

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,
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